

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re ex parte

Application of Glencore International AG

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: 13 MC 0108  
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**ORDER ON PETITION PURSUANT TO 28 U.S.C. § 1782**

**WHEREAS**, on March 26, 2013, Petitioner Glencore International AG, filed a Petition in the captioned action seeking assistance under 28 U.S.C. § 1782 with respect to reasonably contemplated legal proceedings *inter alia* in England to enforce final arbitration awards against the Respondent, Coal Technologies Ltd.; and

**WHEREAS**, the Petitioner has requested relief as set forth in its Petition, and as supported by the Declaration of Wilfred Mare and Petitioner's Memorandum of Law, seeking permission to serve subpoenas pursuant to the Federal Rules of Civil Procedure on the following non-parties: Northern Trust International Banking Corp.; J.P. Morgan Chase; Deutsche Bank A.G.; Wachovia Bank N.A.; and Berenberg Bank; and

**WHEREAS**, the Court having reviewed the Petition and the supporting Declaration of Wilfred Mare finds that the conditions for relief as permitted by 28 U.S.C. § 1782 appear to exist, it is hereby:

**ORDERED and ADJUDGED** that:

1. The Petitioner's Petition is granted.
2. Petitioner may proceed to serve subpoenas as permitted by the Federal Rules of Civil Procedure to seek information regarding Respondent's assets, including the location of such assets, if known, that are currently held, or which have previously been held, by the


following non-parties: Northern Trust International Banking Corp., J.P. Morgan Chase, Deutsche Bank A.G., Wachovia Bank N.A., and Berenberg Bank.

3. Northern Trust International Banking Corp., J.P. Morgan Chase, Deutsche Bank A.G., Wachovia Bank N.A., and Berenberg Bank are directed to respond to the subpoenas issued by Petitioner within the time set forth therein.

4. The Court shall retain jurisdiction over this matter for the purpose of enforcing this Order and assessing any supplemental request for discovery assistance that may be requested by Petitioner.

Dated: March 24, 2013

**SO ORDERED:**

  
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U. S. D. J.  
PART I